

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MAURICE ALLEN

Plaintiff

vs.

**DEERFIELD MFG. INC.,
A SUBSIDIARY OF
ICE INDUSTRIES**

Defendant

CASE NO. 1:02cv492

Judge Spiegel

Magistrate Judge Hogan

**PLAINTIFF'S MOTION FOR
EXTENSION OF TIME TO FILE
APPENDIX TO SUMMARY
JUDGMENT OPPOSITION**

Now comes Plaintiff, and for the reasons set forth in the attached memorandum, requests an extension of three days to submit Plaintiff's Appendix in Support of Opposition to Defendant's motion for summary judgment.

Respectfully submitted,

s/ David Torchia
David Torchia -- 0015962
Tobias, Kraus & Torchia
911 Mercantile Library Bldg.
414 Walnut Street
Cincinnati, Ohio 45202
(513) 241-8137
Attorney for Plaintiff

MEMORANDUM

Plaintiff filed his memorandum in opposition to Defendant's motion for summary judgment on December 5, 2003. Due to the amount of time devoted to completing the brief, Plaintiff needs additional to complete and scan the appendix for electronic filing. Plaintiff requests an extension of time until December 8, 2003 to file the appendix. There will be no delay or prejudice to Defendant as the appendix will be faxed to counsel on December 5, 2003.

Respectfully submitted,

s/ David Torchia
David Torchia -- 0015962
Tobias, Kraus & Torchia
911 Mercantile Library Bldg.
414 Walnut Street
Cincinnati, Ohio 45202
(513) 241-8137
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been filed electronically and served by ordinary U.S. Mail to Renisa A. Dorner, Wise & Dorner, Ltd., 151 N. Michigan Street, Suite 333, Toledo, Ohio 43604 on December 5, 2003.

s/ David Torchia
David Torchia -- 0015962